

OCT 17 2003

PTO/SB/30 (09-03)

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/885,566
Filing Date	June 20, 2001
First Named Inventor	Markert
Art Unit	3682
Examiner Name	McAnulty, Timothy P
Attorney Docket Number	70201RCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s) Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
Deposit Account No. 13-0410

- a. ☒ RCE fee required under 37 CFR 1.17(e) 10/23/2003 AWONDAF1 00000112 130410 09885556
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA  
02 FC:1202 54.00 DA
- iii. ☒ Other Fee for 3 excess claims
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Theobald Dengler	Registration No. (Attorney/Agent)	34,575
Signature		Date	October 17, 2003

### CERTIFICATE OF MAILING OR TRANSMISSION

**in an express mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

**Express Mail NO. EV323630149US**

Name (Print/Type)	Maria Nowell
Signature	
Date	October 17, 2003

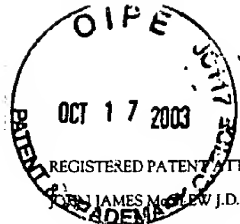
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**GROUP 3600**



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Re: ATTORNEY DOCKET: 70201RCE  
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Sir:

Attached please find the Request for Continued Examination which is being placed in the U.S. Mail today, October 17, 2003, as Express Mail number EV323630144US.

A copy of the Express Mail receipt is also attached.

Respectfully submitted  
for Applicant(s),

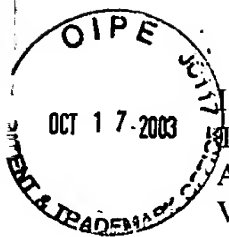
By: 

Theobald Dengler  
Reg. No. 34,575  
McGLEW AND TUTTLE, P.C.

TD:jms

Enclosures - Complete Application Papers and Fees  
- Copy of Express Mail Receipt

DATED: October 17, 2003  
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BY: Maria Howell DATE: October 17, 2003

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